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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/581,614	06/15/2000	Kenneth Hoo-Yin Lam	36-1337	1019

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EXAMINER

ESCALANTE, OVIDIO

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 09/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/581,614	<b>Applicant(s)</b> LAM, KENNETH HOO-YIN	
	<b>Examiner</b> Ovidio Escalante	<b>Art Unit</b> 2645	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 July 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3,4,8-11,13,14 and 18-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3,4,8-11,13,14 and 18-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### **DETAILED ACTION**

1. This action is in response to applicant's amendment filed on July 6, 2004. **Claims 1,3,4,8-11,13,14,18-20** are now pending in the present application.

#### ***Continued Examination Under 37 CFR 1.114***

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on July 6, 2004 has been entered.

#### ***Priority***

3. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

#### ***Drawings***

4. The drawings were received on September 5, 2003. These drawings are acceptable and have been approved by the draftsman.

#### ***Claim Rejections - 35 USC § 103***

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
6. Claims 1,3,4,8,10,11,13,14,18 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yacenda et al. US Patent 5,822,418 in view of Silverman US Patent 5,875,240.

*Regarding claims 1 and 11*, Yacenda teaches a telecommunications network (fig. 1) including a network based telephone answering system to which calls for a particular network destination may be diverted, said destination being identified by a single telephone number, (col. 21, lines 7-19; col. 27, line 65-col. 28, line 16; each individual of the network, (customer) is able to setup a profile for using call screening and which may divert the call and each user calls into the VLS by dialing a single number), the network including control means programmable by customer action at the network destination to select conditions under which some or all calls for the destination are diverted, (col. 21, lines 7-26; calling parties that are included in a call screening list will be diverted to a locator feature. Those calling parties that are not included will not be directed to the locator feature), the telephone answering system further including:

means selectively to store respective messages and to associate such messages with a particular one of said plurality of customers of the destination in response to predetermined characteristics for an incoming call, (col. 17, lines 48-63; a calling party may leave a message for the customer if the customer was not located or is busy), which identify the calling customer, (col. 21, line 51-col. 22, line 3);

and means to selectively play messages for a particular one of said plurality of customers only on receipt of signals identifying said particular one of said plurality of customers, (col. 17, lines 48-64; col. 18, lines 25-32).

While Yacenda teaches of the destination being identified by a single telephone number, Yacenda does not specifically teach of the destination being used by a plurality of called customers and allowing setup of a profile of that the destination based on plural customers. However, Yacenda suggests that a single telephone number may be used to contact the

destination and then a further number is given to identify the called party, (col. 25, lines 54-58). Therefore, it would have been obvious to have only a single number since the system already provides single number service for the network destination.

Nonetheless, In the same field of endeavor, Silverman teaches of a method in which a telephone call is routed to a destination and wherein a plurality of individuals are associated with a common telephone i.e. single telephone number, (abstract; col. 5, lines 27-53; col. 12, line 55-col. 13, line 7; fig. 3).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Yacenda by allowing plural customers to use a single telephone as suggested by Silverman so that that different individuals who work different shifts and used the same telephone can have the calls being routed based on their profiled and so that the telephone numbers can effectively become a mobility number for more than one individual.

***Regarding claims 3 and 13,*** Yacenda teaches a telecommunications network including a network based telephone answering system to which calls for a particular network destination may be diverted, said destination being identified by a single telephone number, (col. 21, lines 7-19; each individual of the network, (customer) is able to setup a profile for using call screening and which may divert the call),

the network including control means programmable by customer action at the network destination to select conditions under which some or all calls for the destination are diverted, (col. 21, lines 7-26; col. 27, line 65-col. 28, line 16) calling parties that are included in a call

screening list will be diverted to a locator feature. Those calling parties that are not included will not be directed to the locator feature), the telephone answering system further including:

means selectively to store respective messages and to associate such messages with a particular one of said plurality of customers of the destination in response to predetermined characteristics for an incoming call, (col. 17, lines 48-63; a calling party may leave a message for the customer if the customer was not located or is busy);

and means to selectively play messages for a particular one of said plurality of customers only on receipt of signals identifying said particular one of said plurality of customers, (col. 17, lines 48-64; col. 18, lines 25-32);

in which the telephone answering system is responsive to network signals identifying the calling party to associate a message received during the same call with a particular one of the plurality of customers, (col. 19, lines 45-56; col. 21, lines 7-19, 51-col. 22, line 3).

While Yacenda teaches of the destination being identified by a single telephone number, Yacenda does not specifically teach of the destination being used by a plurality of called customers and allowing setup of a profile of that the destination based on plural customers. However, Yacenda suggests that a single telephone number may be used to contact the destination and then a further number is given to identify the called party, (col. 25, lines 54-58). Therefore, it would have been obvious to have only a single number since the system already provides single number service for the network destination.

Nonetheless, Silverman teaches of a method in which a telephone call is routed to a destination and wherein a plurality of individuals are associated with a common telephone i.e. single telephone number, (abstract; col. 5, lines 27-53; col. 12, line 55-col. 13, line 7; fig. 3).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Yacenda by allowing plural customers to use a single telephone as suggested by Silverman so that that different individuals who work different shifts and used the same telephone can have the calls being routed based on their profiled and so that the telephone numbers can effectively become a mobility number for more than one individual.

*Regarding claims 4 and 14*, Yacenda teaches a telecommunications network including a network based telephone answering system to which calls for a particular network destination may be diverted, said destination being identified by a single telephone number, (col. 21, lines 7-19; col. 27, line 65-col. 28, line 16; each individual of the network, (customer) is able to setup a profile for using call screening and which may divert the call),

the network including control means programmable by customer action at the network destination to select conditions under which some or all calls for the destination are diverted, (col. 21, lines 7-26; calling parties that are included in a call screening list will be diverted to a locator feature. Those calling parties that are not included will not be directed to the locator feature), the telephone answering system further including:

means selectively to store respective messages and to associate such messages with a particular one of said plurality of customers of the destination in response to predetermined characteristics for an incoming call, (col. 17, lines 48-63; a calling party may leave a message for the customer if the customer was not located or is busy);

and means to selectively play messages for a particular one of said plurality of customers only on receipt of signals identifying said particular one of said plurality of customers, (col. 17, lines 48-64; col. 18, lines 25-32);

in which calls are selectively diverted to the telephone answering system or are connected to the network destination in dependence upon network signals identifying the calling party line, (col. 21, lines 7-41, 51-col. 22, line 3; if the calling party is on a call screening list then they are connected to the customer; if the calling party is not on the list they are routed to a telephone answering system).

While Yacenda teaches of the destination being identified by a single telephone number, Yacenda does not specifically teach of the destination being used by a plurality of called customers and allowing setup of a profile of that the destination based on plural customers. However, Yacenda suggests that a single telephone number may be used to contact the destination and then a further number is given to identify the called party, (col. 25, lines 54-58). Therefore, it would have been obvious to have only a single number since the system already provides single number service for the network destination.

Nonetheless, Silverman teaches of a method in which a telephone call is routed to a destination and wherein a plurality of individuals are associated with a common telephone i.e. single telephone number, (abstract; col. 5, lines 27-53; col. 12, line 55-col. 13, line 7; fig. 3). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Yacenda by allowing plural customers to use a single telephone as suggested by Silverman so that that different individuals who work different shifts and used the same telephone can have the calls being routed based on their profiled and so that the telephone numbers can effectively become a mobility number for more than one individual.

***Regarding claims 8 and 18,*** Yacenda teaches in which the telephone answering system is responsive to signaling identifying a particular one of the plurality of customers using said



particular network destination to play back respective messages stored for that customer, (col. 8, lines 25-32).

*Regarding claims 10 and 20*, Yacenda teaches subsequent to playing messages for the identified one of the plurality of customers using said particular network destination, the system causes a voice announcement indicative of the presence or absence of messages for other users at the same network destination, (col. 21, lines 7-26; col. 15, lines 46-48; the system is able to announce messages for all customers that are part of the same group or are at the same location).

7. Claims 9 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yacenda in view of Silverman and further in view of Matthews et al. US Patent 4,602,129.

*Regarding claims 9 and 19*, Yacenda, as applied above, does not specifically teach of having a stored message being associated with more than one of the plurality of customers.

Matthews teaches of a voice mail system which has a feature of a verbal bulletin board, (col. 70, lines 35-57). The verbal bulletin board of Matthews is capable of receiving a message from a calling party and is further capable of associating the message with more than one of the plurality of users if the calling party does not designate a single specific user, (col. 70, lines 35-57).

Matthews further teaches that when one of the user calls up the voice mail system they may be able to listen to all of their specific messages and further be able to listen to a message that was not associating with any particular user i.e. associated with all of the plurality of customers using said particular network destination, (col. 70, lines 35-57)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Yacenda and Silverman by allowing the calling

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party to leave a message for a group of customers that is not specifically for a single customer as taught by Matthews so that it will no be necessary to leave a message for each customer if the calling party wants to leave the same message for multiple customers.

***Response to Arguments***

8. Applicant's arguments with respect to claims **1,3,4,8-11,13,14,18-20** have been considered but are moot in view of the new ground(s) of rejection. However, the Examiner would like to emphasize the teachings of the prior art in view of Applicant's arguments.

Applicant contends that the prior art fails to teach a telephone answering system that associates messages with a particular one of a plurality of customers who use a single telephone number in response to predetermined characteristics for an incoming call which identify the calling customer and a telephone answering system that is responsive to network signals identifying a calling party to associated receive message during a call to a single telephone number used by a plurality of customers with a particular one of the plurality of customers. The Examiner respectfully disagrees.

As now shown above in the office action and in col. 21, lines 50+, Yacenda teaches that the system activates caller identification hardware to determine the identity of the caller.

Yacenda teaches that caller identity is provided by the central office as signals. Therefore, the Examiner believes that Yacenda teaches that the system is responsive to network signals (caller ID) that identity a calling party.

Applicant also make a comment on page 11 of their response that in col. 21, lines 51-59, Yacenda makes a reference to using call line identification from outside the closed environment to determine whether the calling party can be connected to the called party but there is no

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teaching of an automatic divert function to a mailbox. The Examiner does not believe that the claims clearly state of an automatic diversion to a mailbox. Nonetheless, since Yacenda does divert the caller to the mailbox then the Examiner believes that Yacenda meets the claimed limitations.

***Conclusion***

9. Any response to this action should be mailed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

or faxed to:

(703) 872-9306, (for formal communications intended for entry)

Or:

(703) 872-9306, (for informal or draft communications, please label  
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal  
Drive, Arlington, VA, Sixth Floor (Receptionist).

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ovidio Escalante whose telephone number is 703-308-6262. The examiner can normally be reached on M-F (6:30AM - 5:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan S Tsang can be reached on 703-305-4895. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ovidio Escalante  
Examiner  
Group 2645  
September 2, 2004

*Ovidio Escalante*  
**OVIDIO ESCALANTE**  
**PATENT EXAMINER**